

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2030 – SB 2190

March 22, 2016

SUMMARY OF ORIGINAL BILL: Prohibits a conservator from restricting a respondent the right to communicate, visit or interact with other people. Authorizes the conservator, if good cause is shown, to petition the court to place restrictions on a person's ability to communicate, visit or interact with a respondent under certain circumstances. Requires the court to consider certain factors in determining restrictions placed on communications, visitations, or interactions a person may have with a respondent. Requires a conservator to notify a respondent's closest relative and any person designated by the respondent of certain situations except in instances where an order of protection or restraining order has been issued.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (014762): Deletes all language of the original bill. Adds the right to communication, visitation, or interaction with other persons, including the right to receive visitors, telephone calls, or personal mail to the list of powers removed from the respondent to be vested in the conservator. Authorizes certain individuals to petition the court to require the conservator to grant certain rights. The prevailing party in a petition under this section shall be entitled to court costs and reasonable attorney fees.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumption for the bill as amended:

- Based on information provided by the Administrative Office of the Courts, it is estimated that the proposed legislation will not increase the caseloads of trial and appellate courts. Any additional motions and petitions can be adjudicated within existing judicial resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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